

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DONALD HEIMSTAEDT and TODD KORTE,

Civil Action No.: 07 CIV 9389 (JSR)

*Plaintiffs,*

**REPLY AFFIDAVIT OF  
JOSEPH SALVATOR**

*-against-*

PREM.AIR NEW YORK, LLC, PREM.AIR GROUP  
OF NEW YORK, LLC, PREM.AIR GROUP, LLC,  
MCQUAY NEW YORK, LLC, GEORGE KOUTSSOS,  
ERIC BERKOWITZ, MCQUAY NEW YORK PROFIT  
SHARING PLAN, and XYZ TRUSTEES OF THE  
MCQUAY NEW YORK, LLC 401(k) PROFIT  
SHARING PLAN,

*Defendants.*

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STATE OF NEW YORK     )  
                                  )ss.:  
COUNTY OF NEW YORK    )

**JOSEPH SALVATOR**, being duly sworn, deposes and says that:

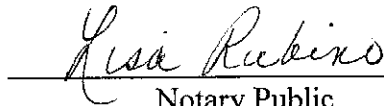
1. I am a Certified Public Accountant licensed in the State of New York, and a member of the firm of Biscotti, Toback & Company, P.C., certified public accountants.
2. I have been the accountant for Prem.Air Group of New York LLC since 2006, and I have prepared the company's tax return for the calendar year ending December 31, 2006.
3. As such, I am familiar with the financial records of Prem.Air Group of New York LLC for the years 2006 and 2007.
4. Prem.Air Group of New York LLC has made no transfers to and conducted no business with Prem.Air Group LLC or Prem.Air New York LLC during this period.

5. Indeed, my review of the records reveal that Prem.Air Group LLC had no business activity, no income, no sales and no payments.

6. Prem.Air Group of New York LLC is a viable solvent and profitable company which is paying its undisputed financial obligations.

  
Joseph Salvatore

Sworn to before me this  
12<sup>th</sup> day of March 2008

  
Notary Public

LISA RUBINO  
NOTARY PUBLIC, State of New York  
No. 4950797  
Qualified in Nassau County  
Commission Expires May 8, 19  
2011